

JEWISH FOOD LAWS IN EARLY CHRISTIAN COMMUNITY DISCOURSE

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ABSTRACT

Habits about food have a strong social impact. In Judaism, such habits are structured by a framework of formulated food laws. These serve to define community and identity, both internally and in relation to non-Jews. This is of utmost importance to the New Testament, which documents the initial trajectory of a community that arose within Judaism, attracted many non-Jews, and soon produced an anti-Jewish gentile Church. The New Testament canon was created as a function of this Church, but it is made up of writings which in different ways reflect the early, Judeo-Christian stages. In order to study the function of Jewish food laws along the trajectory, they must primarily be seen in terms of ancient Jewish law.

Having established the necessary distinctions between laws pertaining to diet, Levitical purity, and idolatry, the paper shows how Church Fathers since the third century lump all such Jewish laws together into one category that has been abolished, since they read the New Testament in function of gentile Christian community discourse. With that position in mind, the New Testament writings themselves are then analysed. The paper concludes that they do not yet unambiguously evidence a similar generalising rejection. An overall rejection of Jewish food laws begins to appear only in Christian sources from the Bar Kokhba war onwards.

This paper views several general phenomena together. First, eating involves togetherness, from the mother's breast till the funeral repast. Eating generates communion and habits about food are prone to have a social impact. Next, Judaism is a religion characterised by a system of formulated rules of behaviour called *halakha* which includes laws about diet and eating. Since human behaviour means social interaction, this system of rules creates social distinctions and identities, and Jewish laws about food are prominent in this respect. In an obvious sense, one defines oneself as a Jew by what and with whom one eats and does not eat. In the third place, Christianity developed as a separate religious community out of Judaism not so much by adhering to a specific messianic confession—which could have kept its place among other Jewish dissenters—but by integrating masses of non-Jews who in the course of history quickly ended up setting themselves off from the mother religion.

This process involved a radical shift in the meaning accorded to Jewish food laws. Finally, the earliest documents of the new community themselves were subject to an analogous reinterpretation process. The New Testament writings all have their base in the Jewish phase of Christianity but in part were edited and in any case were all gathered together by the eventual gentile church. Hence we can only disentangle the Christian reinterpretation process of Jewish food laws by carefully distinguishing between the various strata of the early Christian documents. In short: both the early Christian attitudes to Jewish food laws and the writings in which these attitudes are documented must be seen within the same process of social change.

We go over these phenomena in reverse order. We start with the canon of the New Testament, then we deal with the social function of Jewish food laws, after which we outline how these are viewed by the fathers of the gentile church, and finally we analyse the various attitudes on this point of the pre- and post-70 writings from the New Testament. All of this with the conviction that civilisation feeds on the savour of distinction.

1. THE NEW TESTAMENT WRITINGS IN A COMMUNITY PERSPECTIVE

The New Testament is not a book. It is a collection of highly diverse writings. Nor can these be called simply "Christian" or "Jewish." That nomenclature is necessarily a problem here and must at least be amplified with the category "Judeo-Christian." Yet the New Testament is traditionally read as a book, even as the *central book of gentile Christianity*. In fact, it is a collection of writings having each its own ramified history within Jewish and Judeo-Christian surroundings. These writings subsequently came to be adopted by various gentile Christian communities, until they gained their place among the holy scriptures of the second century churches that defined themselves as "apostolic." This complex pre-history has another implication. As holy scriptures, these writings did not stand by themselves. They had this status on the basis of the document which the apostolic churches shared with the Jewish communities and which is presupposed everywhere in the New Testament writings themselves, i.e. the "Old Testament." Christians who did not accept that basis such as Marcionites and Gnostics were excommunicated by the apostolic churches (Bauer).

On the other hand these churches understood themselves as a community fundamentally distinct from Judaism and the Jewish people. This demarcation over against Judaism was absolute, which equals saying it was an *anti-Jewish self-definition*. We do not have to be dramatic about this. It means the apostolic church saw itself as wholly detached from Judaism and the Jewish people. Moreover the Jews, whose organizational structure meanwhile was evolving into rabbinic Judaism, saw the matter the same way. We can imagine this situation in areas with large Jewish communities such

as Asia Minor, Syria or Palestine. Local Christians and Jews would perfectly know each other; up to a point they would also read and interpret the same Scriptures, most often in the same language, Greek or Aramaic—but they would be two rival communities apart (van der Horst). The Judeo-Christian groups who did not read the “apostolic” writings did not belong to either side. They were heretics for both rabbinic Jews and apostolic Christians.

Thus the apostolic churches read both *the Jewish scriptures and the New Testament writings* of Judeo-Christian background on the basis of an *anti-Jewish self-definition*. This obviously involved an awesome contradiction. The paradoxical formula which sums it up was first forged by Justin, who in his *Dialogue with Trypho the Jew* maintained that “we (non-Jewish Christians) are the true Israel-entity of the Spirit,” “the true Israelite race” (*Dialogue* 11:5; 135:3; Richardson). Justin probably did not understand this as a contradiction, any more than did many orthodox Christians in antiquity and later days. The idea, which lately has begun to falter, thank Heaven, is to read your Scriptures and *to ignore the other* who had been reading them already before you were there.

Returning now to the beginning, the question is to what extent such a *decidedly non-Jewish* and hence *anti-Jewish* reading is operative already in the writings of the New Testament. There can be no blanket answer here. Each document must be analysed both on its own terms and in comparison with others, and differences arising must be given full significance. This includes the possibility that writings which in themselves do not incorporate an anti-Jewish self-definition by being integrated into the canon of the apostolic church were henceforth *read as being anti-Jewish* (Tomson, 1997; 1998).

2. COMMUNITY DISCOURSE AND FOOD LAWS

The critical concept to be deployed here is *community discourse*. A community defines its identity and its boundaries using a specific discourse. This may be either *exclusive*, i.e. forbidding boundary crossings, partial ambiguities, and the awareness of a greater identity shared with other communities, or *open* and allowing for such things. Any text which is adopted by the community becomes part of its specific discourse. This is especially effective where it concerns *holy writ*, i.e. texts read out aloud during recurring, solemn community manifestations—obviously a feature typical of Jewish and Christian communities. It also concerns Muslim communities but in another way; it may be significant that the Quran singles out Jews and Christians as “people of the Book” (e.g. Sura 3:64–68). The continuous, communal reading out objectifies the holy texts into being a decisive element of the reference frame by which the community defines itself and its place in the world, or in other words into being the *backbone of its community discourse*. At the same time—or, with an apposite oxymoron, during the same “cyclical proce-

ture"—the community's discourse (re-)defines the meaning of the holy writ. Scripture reading, canonization, interpretation, and community building all determine each other reciprocally in a continuous, cyclical process (Tomson, 1998).

In this perspective, the point is not so much whether a given text is being read in a Jewish or a non-Jewish community. Non-Jewish discourse does not have to exclude Jews, any more than Jewish discourse must necessarily shut out non-Jews. The point is whether the community integrates the text into exclusive or open discourse. Of course this is not only about a distant past. The century just ended saw an unprecedented upsurge of murderous language, but there is also a steady drive for community discourse which does *not* exclude the others' reading of texts in common. On the other hand one can understand why exclusive discourse will and must always be there for circumstances ranging from psychology to politics.

One such circumstance is war. In Bosnia, centuries of peaceful coexistence between Roman Catholics, Orthodox Christians, and Muslims evaporated in a split second when war broke out. This helps us imagine the effects the two great wars against Rome must have had not only on Jewish society, but also on relations between Jews and non-Jews. And this must have worked both ways. It is hardly a coincidence that the anti-Jewish gentile apostolic Church manifests itself in sources from the Bar Kokhba war onwards, such as Pseudo-Barnabas, Justin, and Irenaeus (Richardson: ch. 3). Surely there is much more reason to speak of a growing rupture powered by socio-political factors than of a "parting of the ways" on mere theological grounds (cf. Lieu). Similarly it is no coincidence that endeavours to shed age-old fetters and find means to rejoin company arise only recently, in a generation shocked by the horrors of human destruction.

We are interested in food laws and their significance in the various types of New Testament community discourse. This involves both food and laws. Laws are of course part of that entity fraught with complex misunderstandings: *the Jewish Law*. However the conceptual grid that we are setting out facilitates a straightforward course. Taking the Law for what Jews ancient and modern take it to be, i.e. the set of lore and law that governs their lives for better or for worse, it is clear that it has a different function in Jewish than in non-Jewish discourse. More so, it is in *exclusively* Jewish or non-Jewish discourse that the Law acquires a crucial meaning and becomes a central *anti-gentile or anti-Jewish* community symbol.

Next there is food. It is the basic ingredient of life, and insofar as life means communion, it is the stuff people create communion with by sharing it. Or prevent such by denying it. Hence the powerful significance of the "symbolic" community meals such as the Jewish festive meals and the Eucharist. Incidentally, these meals are not only functionally analogous, but ge-

netically related. The Eucharist derives from Jewish communal meals, either “regular” group meals or the specific Passover meal, and its very name εὐχαριστία is fully equivalent to בְּרַכָּה, *berakha*, the “benediction” said at Jewish festive meals. Witness the *Didache*, an early Judeo-Christian document which refers to the blessing at community meals as περὶ δὲ τῆς εὐχαριστίας (9:1; cf 14:1; Tomson, 1990:140).

So obviously food laws—things “done” or “not done” about food and eating together—are highly effective means of “communicating” and “excommunicating,” and it surely is no coincidence that these terms fit exactly here. More so, *formulated laws*, written or not, represent texts and contexts vital to the community’s identity. Hence explicit food laws can be read as community discourse written in the flesh. At this point, there is a difference between Judaism, in which basic food laws are central, and gentile Christianity which as we shall see knows of certain food laws but hardly has universal rules.

In Jewish community discourse, laws about food are a potent means of expressing openness or exclusiveness. An edifying example involving Jewish-gentile relations dates from the Great War itself. Rabbinic literature is emphatic that in spite of substantial differences on marriage and purity laws, the two Pharisaic schools of Shammai and of Hillel did not refrain from marrying each other’s daughters or dining together (*m. Yebam.* 1:6; *t. Yebam.* 1:10–13). Nonetheless scattered information indicates that at the outbreak of war, the Shammaites overruled the Hillelites and that 18 prohibitions were issued, the first listing of which enumerates “the bread of gentiles, their cheese, their oil. . . .” (*y. Šabb.* 1, 3c–d; see Goldberg: 15–22; Hengel: 204–11; Tomson, 1990:168–77). To be sure these were no innovations but, as the Talmud observes, concerned a re-issuing of ancient customs documented already (e.g. in Dan 1:8). Nor were they immutable once decreed, for the same reports inform us that the decree on gentile bread was considerably modified later and the one on oil nullified altogether “since the majority did not accept it.” The Talmud uses an explicit concept for this category: הלכרת עימעות, “laws of obscurity” i.e. laws unofficially neglected. This teaches how in times of crisis, Jewish community discourse can become exclusive and radicalize the importance of identity symbols such as food laws. Conversely, it is easy to imagine how in such circumstances non-Jews get irritated about Jewish food laws. The New Testament will offer us some examples. It also teaches that in more peaceful days, food laws and other identity symbols can be allowed to be less exposed.

Food laws operate as community definers also in inner-Jewish contexts. Most illustrative is the Qumran community, which demarcated the successive degrees of “approach or withdrawal” and thus the relation to “all Israel” by grades of participation in “the pure food of the many” and “the drink of the

many.” This procedure is documented not only in the Community Rule found at Qumran but also in Josephus’ description of the Essenes. (1QS 6:13–23; *J.W.* 2:137–50). Given the social function of such rules, this is one of the strongest indicators of close links between Qumran and the Essenes (Licht: 146–47). Less unambiguous information is extant about the *havurot* or fellowships which somehow were associated with the Pharisees and whose procedures of admission were similarly structured by stratified observance of laws about tithing and purity (Lieberman; Neusner). Thus when dealing with discussions about food laws we must look for underlying group relations, either inner-Jewish relations or those with non-Jews.

3. THE CHURCH FATHERS: CONFOUNDING JEWISH FOOD LAWS

On principle, Jewish food laws are foreign to gentile Christianity. So much is also reflected in the massive Christian misunderstanding surrounding them. Ever since the Church Fathers—authors who emblematically represent the gentile Christian Church—New Testament exegesis typically confuses laws belonging to different halakhic areas, especially diet and purity laws. A special third category involved here are laws pertaining to idolatry, which as we shall see interfere with the other two also in Jewish discourse. Thus while the discussion story in Mark 7:2–23 is about *purity*, Christian commentators ancient and modern highlight verse 19 to the effect that “(Jesus) declared all foods clean”—*dietary* laws being implicated. Similarly, Peter’s dream in Acts 10 which urges him to swallow his hesitation and enter a gentile home—which as we shall see points to *idolatry* and *impurity*—is explained to mean that he should literally eat *unclean foods*. Moreover both passages are often linked together in discourse aimed at proving that *all* Jewish food laws are null and void for followers of Jesus.

In the framework of Jewish law, however, the rules about forbidden foodstuffs constitute a category apart from those defining impurity of the human body and of objects. A preliminary difficulty is of course that for both categories the Hebrew Bible uses the same denotative terms “clean” and “unclean,” טהור and טמא or καθάρος and ἀκαθάρτος (or sometimes κοινός: 1 Macc 1:62). This may distract superficial exegetes from remarking that already in the relevant Hebrew Bible passages, two different systems can be pointed out,¹ a difference which becomes obvious in later law collections such

¹ As Rashi observes, Lev 11:2–31a enumerates איסור אכילה, things under the “prohibition to eat,” while Lev 11:31b–15:33 continues with להיית טמא במגע, “real impurity, which makes one impure by touch” (Rashi on Lev 11:29). Deut 14:3–21 is a later or at least more systematic summary which also includes the “kid in its mother’s milk” from Exod 23:19; 34:26. See further n. 3.

as that found at Qumran and especially rabbinic law.² Dietary laws are concerned with things *one does not eat*, i.e. “unclean” animals, blood, and the combination of meat and milk. These prohibitions are *always valid for all Jews* and are defined by *inherent* qualities which are *not transferable*.³ They operate anywhere independently of temple and priesthood and they apply still today without fundamental change.

By contrast, impurity proper is a *temporary and transferable* status which basically prohibits objects or the human body from *involvement in sacrificial rites*. This “Levitical impurity,” as it is also called, is structured by a number of degrees and is transferable in removes which more or less correspond to the holiness of the sacrifice concerned and the degree of impurity. Here one distinguishes *sources of impurity*, the strongest of which is a human corpse or parts of it, then bodily excretions like sperm, gonorrhoea or blood, and furthermore leprosy and carrion. Also, *purification procedures* corresponding to the weight and the remove of the impurity serve to restore purity.

Unlike dietary laws which are hardly developed in postbiblical Jewish law, purity laws show a most sophisticated elaboration, especially in rabbinic literature.⁴ However since the production of the red heifer ashes essential to the purification from death impurity—the heaviest of all (Numbers 19)—is necessarily linked to the sanctuary, the system as a whole went into disuse some time after the destruction of the Second Temple. The remaining laws still in use, mainly those of *nidda* or the menstruating woman, have consequently lost their Levitical basis while retaining their strong other associations. There is also a geographical limitation. According to a decree ascribed to Sages of the second century BCE, non-Jewish lands were considered to be impure and consequently Levitical purity operated only in the Land of Israel. (*y. Šabb.* 1, 3d; *y. Pesah* 1, 27d. Cf. *b. Šabb.* 14d.). This last matter is of course important for the New Testament, insofar as this often involves diaspora relations.

² CD 10:10–13, על הטהר במים “concerning purification in water”; 12:6–11a, laws concerning gentiles and idolatry; 12:11b–15a, special forbidden foodstuffs (טמא / טהור not being used!); 12:15b–20, impurity (טמאה) of special objects. On Rabbinic law see n. 3.

³ The only passage where transfer of the “impurity” of “unclean” animals seems involved is Lev 11:26. Rabbinic tradition reads this in line with verses 8, 11, 24, 27–28, 31–32 where it concerns transferred impurity of unclean animals which are *dead*. See *Sifra*, shemini, ed. Weiss 52c; Maimonides, *Hilkhot Avot ha-Tuma* 2:1. This is also the reading of a number of LXX mss in Lev 11: 26: πᾶς ὁ ἀπτόμενος τῶν θνησιμαίων αὐτῶν. As if to end all confusion, Deut 14:8 summarizes: מבשרם לא תאכלו ובנבלתם לא תגעו, “You shall not eat from their meat and not touch their carrion.”

⁴ In the Mishna, purity laws make up the largest of the six orders, Toharot, while dietary laws are only mentioned in one chapter which stipulates details about milk and meat: *m. Hul.* 8. CD 12:13–14 has two stricter slaughtering laws involving fish and locusts, while 4Q274 [Tohorot A] has quite a few purity restrictions as compared with biblical law and 4QMMT rejects certain (Pharisaic) innovations from a restrictive point of view.

As was shown in a ground-breaking study (Alon, 1977b), the basis of the decree on non-Jewish lands is in the ancient idea that *idolatry conveys impurity* to objects and humans involved with it. “Gentile lands,” i.e. lands with a non-Jewish majority, were supposed to be infested with idolatry and hence impure. The same applied to *non-Jewish homes* within the land of Israel. As to objects and foodstuffs, rabbinic halakha distinguishes between their explicit, imputed, or uncertain devotion to idolatry, which in the more lenient, “realistic” approach allows smooth communication with non-Jews. But on the more restrictive view, *all* gentiles are thought to be idolaters and contact with them ought to be avoided (Tomson, 1990:151–77). This idea was behind the “18 decrees” mentioned above. We see how the prohibition of idolatry interferes with the other two halakhic spheres relevant to our subject and generated laws pertaining both to purity and to diet. In fact one of the main contributions of Alon’s study is to show how later generations of rabbis no longer adduced the idea of contagion by idolatry but instead attributed the prohibition of certain gentile foodstuffs to the admixture of forbidden ingredients—thus implicating *dietary* laws. This can be viewed together with the more rational view on idolatry which is in evidence from the Tannaic period onwards (Urbach).⁵

All these distinctions are typically lost on Christian exegetes, ancient and modern alike. Origen, the greatest of Christian theologians in antiquity (early 3rd cent.), comments on the dispute story about handwashing:⁶

When we read in Leviticus and Deuteronomy about clean and unclean foods—things the carnal Jews and the Ebionites who differ little from them accuse us of violating—we should not think that Scripture means their obvious sense. For if *what comes into the mouth does not render one impure, but what comes out of one’s mouth* (Matt 15:11)—most of all since in Mark, the Saviour says this *declaring all foods to be clean* (Mark 7:19)—it is clear that we are not made impure if we eat what the Jews who slavishly want to observe the letter of the Law call impure. . . . (*In Matth.* 11.12)

The *impurity* of hands and food at stake in the discussion is confused with biblical *dietary* laws, and confusion is carried to the extreme by the suggestion that *forbidden foods* render one *impure*. The same confusion prevails in Chrysostom (late 4th cent.), with the aggressive addition that Jesus’ abolishment of food laws comes down to *abolishing Judaism*, and in his Latin contemporary Jerome, who gives the typical interpretative reference to Peter’s dream: “What

⁵ Urbach’s explanation from economic necessity cannot be completely discounted, but a mere materialistic explanation will not suffice in such matters. The post-war Hillelite majority must have been at least as important.

⁶ For the interesting contradictions regarding purity observance in Origen and Chrysostom see Tomson, 1999.

God has sanctified, you should not call unclean." Luther in his day merely repeats the same in more primitive terms when commenting that Jesus "positioned his thesis directly against Moses. . . . What remains of Moses, when the law on food and drink is abolished?"⁷

We see how a vehement rejection of Jewish purity and diet laws goes hand in hand with a consistent confusion between both areas. Not only does this seem arbitrary, but there is also a telling contradiction. For the Church Fathers also betray that rules on idolatry, diet and purity are observed *within their own churches*. When commenting that God has made all things clean, Jerome raises the objection of "a shrewd reader who will say: . . . So why do we not eat idol offerings?" The answer is that "God's creatures are pure in themselves, but the invocation of idols and demons makes them unclean." Hence Jerome supports a prohibition of idolatry for his own community! Nor is he an exception. The prohibition of idol offerings for gentile Christians is stated in the Apostolic Decree cited in the Acts of the Apostles (see below), and it has been shown that this rule was actually observed in the ancient Church at least through the fifth century. Similarly the Decree contains a prohibition on consuming blood—prescribed already in Gen 9:4 for Noah's sons—which was not only very widely kept in the ancient Church but remained in use through the middle ages, even among devout Protestants (Böckenhoff). Finally, for all their depreciating Jewish purity ritual, the Church Fathers do mention purity customs being observed by Christians (Tomson, 2000).

Clearly, it is not the *contents* of Jewish food and purity laws which makes the Church Fathers condemn them, but their being labelled as *Jewish*. For similar practices observed in their own gentile Christian communities are labelled positively. In the terms used earlier, the community discourse of the Church Fathers is *closed* and emphasizes *antithesis* to Judaism. It must perforce confuse "Jewish" food laws in a blanket condemnation since, in contradistinction to "Christian" food laws, they do not constitute Christian community.

4. JEWISH FOOD LAWS IN THE NEW TESTAMENT AND SUBSEQUENT WRITINGS

Before reviewing the relevant New Testament passages, let us bring the conceptual framework that has been developed more effectively into position.

First let us recall the difference between texts dated *before* or *after* the Roman War as to relations between Jews and non-Jews. This concerns not

⁷ Chrysostom, *Hom. in Matth.* 51.3–4 (PLG 58:514f); Jerome, *In Matth.* 15.12 (ed. E. Bonnard, SC, Paris 1977); Luther, *Commentary on Matthew*, Weimar ed. 1912, 38:589.

only the post-70 gospels and Paul's letters, which roughly date to the 50s, but also the pre-70 stratum *within* the gospels. The chronological criterion is important and we shall begin our discussion with Paul.

In the second place, the anti-Jewish position of the Church Fathers just reviewed presents us with a standard to gauge by. Where and to what extent is similar closed and generalising community discourse found in the various parts and strata of the New Testament and subsequent writings?

Third, our above discussions lead to the obvious yet portentous decision that the way food laws appear in the New Testament must primarily be judged by the categories of ancient Jewish law. For one thing this means the various halakhic areas must be distinguished. This is not customary since as we saw New Testament exegetes like the Church Fathers tend to lump food laws together into one category labelled "Jewish." In terms of ancient Jewish law, *dietary* laws proper do not appear to be much of an issue. The reference to Acts 10 does not stand up to scrutiny; Mark 7:19 is at least problematic. What we do find are a number of explicit discussions and discussion stories involving *purity* and the implications of *idolatry*.

(a) *Pre-70 Sources: Paul*

All of Paul's preserved letters read as addressing non-Jewish Christians (Tomson, 1990:58–62), and it is only logical that relations between Jews and non-Jews are centre stage. Thus the Jewish law is necessarily an issue, and so are laws having to do with food. The crucial question is how Paul handles them. Let us first review his general approach to Jewish-gentile relations.

Paul's gospel emphatically embraces both "Jew and Greek," in vehement opposition to erring brethren from either side who want to exclude the other group (Gal 1:6–11; Rom 1:16). All of his letters emphasize an overarching *community* between both groups. The apostle is always trying to keep together the different parts of what he views as one body (1 Cor 12:12–13). This is dramatically expressed in a personal passage which states that he tries to be everything to everyone, "a Jew to the Jews, . . . to those without law as without law . . ."—which in the next chapter is explained as implying that "you must be without reproach both to Jews and Greeks and to the church of God" (1 Cor 9:20–21; 10:32). Thus if on the one hand he can reiterate that "in Christ, neither circumcision nor foreskin has any power," he presupposes that "if someone was called being circumcised, he must not have it undone," and if another "has been called having a foreskin, he must not have himself circumcised" (Gal 3:28; 5:6; 6:15; 1 Cor 7:17–20). The circumcision-foreskin image is a common metonymy and implies living by the Jewish Law or not. In other words, Paul envisages a community of Jews and non-Jews who mutually respect their different ways of life, *a community which integrates difference*.

This would imply that Paul in turn respects the Judeo-Christian churches in Jerusalem and elsewhere, as indeed he states explicitly. In Gal 2:1–10 he re-

lates of a conference with the Jerusalem apostles which ended in mutual appreciation and confirmation, "since He who worked through Peter for the apostolate to the circumcised worked through me for the gentiles, and . . . James and Cephas and John . . . gave me and Barnabas the right hand of *communion*." There remained one obligation: "That we remember the poor, exactly which I have exerted myself to do" (Gal 2:8–10). When writing Romans, Paul is under way to Jerusalem with the yield of a similar (or the same) collection for "the poor among the holy in Jerusalem" from Greece, hoping that "this service of mine to Jerusalem will be acceptable to the holy" (Rom 15:26, 31). Clearly, he keeps attaching much importance to relations with the Jerusalem church.

These considerations put us in a position to discuss Paul's various utterances about food in Jewish-gentile relations.

In Gal 2:11–14 Paul tells of a clash with Peter, Barnabas and "the other Jews" in the Antioch church over table fellowship with the non-Jews. While at first all Jews "ate together with the gentiles," the arrival of "some people from James" caused them to segregate. To Paul, this *withdrawal from communion* with non-Jewish believers meant a violation of the Jerusalem agreement and he registers violent objection. This reflects an *inner Judeo-Christian dispute over relations with non-Jews*. The restrictive behaviour propagated by the Jerusalemites is indeed a clear departure from the open communion earlier agreed upon by all.

It is obvious to think here of the deterioration of the social and political climate in the run-up to the Jewish-Roman war. In fact Josephus tells of vehement clashes between Jews and non-Jews in Antioch at the outbreak of war, only some 15 years after the usual dating of the Antioch incident referred to by Paul (*J.W.* 7:43–45). Indeed this background allows a most plausible explanation of the exact underlying halakhic issue (cf. Tomson, 1990:221–36). Purity laws are presumably out of the question since these did not operate in the diaspora. Nor are dietary laws a likely explanation since Barnabas and especially Peter, recognised even by Paul as "the apostle to the circumcised," could hardly have violated such basic biblical commandments any more than the Antiochian Judeo-Christians during their initial commensality with the non-Jews. We are left with the laws of idolatry, and these fit exactly the situation of growing tension between Jews and non-Jews. As in Jerusalem, anti-idolatrous sentiment, typically represented by the school of Shammai, and resistance against partaking of "their bread, their cheese, their oil" must have been on the rise. And, as 15 years later in Jerusalem, Jews of Pharisaic extraction opposing this trend could not always prevail.

As stated, this reflects inner Judeo-Christian dispute. While taking a more liberal view than others, Paul certainly did not condone idolatry. The issue is over where exactly idolatrous behaviour must be supposed on the part of non-Jews and where not. In 1 Corinthians 8–10, Paul develops specific casuistry on pagan food and drink which apparently is intended for non-

Jewish Christians (Tomson, 1990:187–220). Idolatry proper is out of the question for gentile Christians, who are supposed to know the biblical stories of the golden calf and of Baal Peor just as well as the Jews and share their belief in “our One God and Father” (1 Cor 10:1–13; 8:6). It is different with neophytes, whose *συνείδησις* may still be “occupied” with idols, as also with pagans about whose *συνείδησις* one can only judge from their outward behaviour. *Συνείδησις* cannot mean “conscience” here, since Paul stipulates that it concerns *the other one’s* (10:29), and a pagan would not have a bad conscience about eating idol offerings. The other connotation of *συνείδησις* must be involved, i.e. “consciousness.” Hence Paul teaches that Christians should abstain from eating as soon as *the other’s consciousness appears to be directed to idolatry*. For our discussion it is significant that this parallels later rabbinic rulings concerning relations with pagan gentiles and pagan objects (Tomson, 1990:187–220). Hence as long as no idolatrous consciousness is signaled, gentile Christians can eat what is being offered “without asking” (1 Cor 10:25, 27). Another question is whether Paul himself would eat there. Presumably not if it concerned things a Jew does not eat. Even meat of “clean” animals would be difficult because of the slaughtering method. But “their bread, their cheese, and their oil” may have been no problem.

The third Pauline passage to be discussed, Rom 14:1–15:13, deals with non-Jewish irritation over unexplained “infirmities” (*ἀσθενήματα*) about food on the part of Judeo-Christians. Paul does not include himself here, as he reckons himself with the “strong” (Rom 15:1). Again, dietary rules or Levitical purity may be thought out of the question. Since irritation in Jewish-gentile relations is explicitly involved, the “infirmities” most likely again relate to over-anxiousness about gentile idolatry. Romans must have been written towards the end of the 50s, a few years before the war, when such feelings are by no means unthinkable even in far-away Rome. This hypothesis also best explains Paul’s arguments about the “impurity” involved, because these do not well apply to purity laws proper and even less to dietary laws: “Nothing is unclean (*κοινόν*) in itself, but for him who reckons something to be unclean, *to that one* it is unclean. . . . All things are pure (*πάντα μὲν καθάρὰ*), but it is bad for a person who eats by way of transgression. . . . *He who is in doubt* while eating is condemned, for it is not out of faith.” These are sensitivities about gentile food Paul does not share and which he finds debatable. But he does not insist and urges his gentile fellow-Christians to do likewise: “It is good not to eat meat nor to drink wine nor anything which makes your brother stumble” (14:14, 20–23). Again he pleads for communion in acceptance of differences, but in a reverse situation: now it is the non-Jews who are to accept their “infirm” Jewish brothers and sisters. The passage ends with an evocation of *shared table worship by Jews and gentiles* (Rom 15:7–13; Tomson, 1990:254–58).

The evidence is consistent that Paul does not accept exclusive community discourse on either side but quite to the contrary pleads openness and mutual

acceptance by Jews and non-Jews *in spite of their diet differences*. In his apocalyptic vision, the distinct Jewish and non-Jewish identities are encompassed in discourse of a community beyond prevailing space and time limits. Political developments in the Roman empire did not favour wide acceptance of that vision. On the contrary, the evidence we have indicates that Paul eventually lost his case and that his writings were incorporated in the exclusive discourse of gentile “Paulinism.”

The shift is reflected already in the deutero-Pauline *Epistle to Titus*. Castigating “Jewish myths and commandments of men” the author pronounces, evidently paraphrasing his teacher Paul: “Everything is pure to the pure (πάντα καθαρὰ τοῖς καθαροῖς), but to the contaminated and unbelieving nothing is pure, no, even their mind and consciousness are contaminated” (Titus 1:14–15). This can be read as a radical reinterpretation well imaginable in the epoch of Jewish-gentile war following Paul’s decease. It does not necessarily imply that biblical dietary laws are at stake, and the author like Paul could merely have Jewish over-sensitivities in mind. But unlike his master he no longer couches his criticism in community discourse which includes observant Judeo-Christians.

(b) *Post-70 Texts: the Gospels, Acts, Early Apostolic Writings*

The *Gospel of John* gives no clues as to food laws. The “purification of the Jews” is mentioned as a mere coincidental circumstance, as are Jewish festivals and other customs. The final redactor, who mentions the synagogue ban and must have been writing towards the end of the century, portrays Jesus as intentionally violating the sabbath and lays responsibility for his trial and execution on “the Jews.” From his anti-Jewish point of view, he can hardly have had high opinions about food laws, but that must remain in the domain of speculation (John 2:6, 13; 5:8–9; 9:14, 22; Tomson, 1997:259–98).

Matthew and to a lesser extent Mark also show signs of anti-Jewish elaboration (Tomson, 1997:225–57). The question is how this affects the dispute story on hand-washing for common food which both gospels share (Mark 7:1–23 and Matt 15:1–20 based on Mark). It was already mentioned because the Church Fathers took it to mean that Jesus abolished biblical dietary laws. This not only confounds diet and purity laws, but destroys the basis of Jesus’ argument. When Pharisees ask him why his disciples do not wash hands before their daily bread following the “tradition of Elders,” he replies that their own “teachings of men” about vows contradict the “commandment of God” to honour one’s parents. Clearly, in this case he *opposes biblical law to Pharisaic tradition*. While rejecting some Pharisaic purity rules as having less authority than a biblical command, he could hardly go on to abolish *biblical* dietary laws. With that correction, the discussion is perfectly imaginable between a non-conformist popular teacher and some Pharisees in the year 30 CE.

The underlying halakhic issue concerns the Pharisaic principle of the transfer of derived impurity through food, which Jesus rejects as he does the commandment to wash hands for common food. At that level, our texts inform us that Jesus differed with the Pharisees on purity, as did many other Jews in his day (Tomson, 2000).

The Church Fathers base their interpretation on a text fragment in Mark which is lacking in Matthew, who here as so often curtails plastic details in his source. Jesus says food “does not enter the heart but the belly, and leaves the body at the privy, καθαρίζων πάντα τὰ βρώματα” (Mark 7:19c). This reading involving a masculine subject yields an awkward construction but is found in the major manuscripts. Some scribes adapt the phrase to connect with the following sentence and read: καὶ καθαρίζων . . . ἔλεγεν. . . . The accepted translation based on these versions, “thus he declared all foods clean,” does indeed support the interpretation of the Church Fathers though as we saw it destroys the argument of the pericope. This would mean that in the case of Mark, we have an early reflection of the exclusive discourse typical of the Church Fathers. This situation could be accommodated to the war climate at the accepted final redaction date of Mark, i.e. somewhere around 70.

Other possibilities remain to be explored. The majority of Byzantine minuscules has the neuter καθαρίζον, apparently meaning that the *digestion process* cleans all foodstuffs, and the same seems supposed in a minuscule which reads καθαρίζεται, as also in one Syriac version. This offers a solution which does not contradict the main argument, though the construction remains awkward. Therefore other interpreters reduce the difficulty to a gloss or to an infelicitous translation from the Aramaic (see the major commentaries). But there is still another solution. It opens up once we suppose the evangelist never meant dietary laws to be implicated at all. Indeed the passage can be read as simply stating that Jesus, without ever thinking of food a Jew does not eat, declared the food which passes through the intestines clean just because he rejected the transferral of impurity by food to start with. This solution is simple, is based on the major manuscripts, and therefore seems preferable (*pace* Tomson, 1997:230–32). It means that Mark too has Jesus merely rejecting certain Pharisaic purity rules but *does not yet evince* the exclusive discourse on Jewish food laws of the Fathers.

The Gospel of Luke and the Acts of the Apostles which must be read as two parts of one work emphasize the importance of the Jewish law from beginning to end, as a recent commentary on Acts forcefully emphasizes (Jervell). This goes hand in hand with a remarkably nuanced and on the whole rather positive image of the Pharisees, an image which moreover is confirmed by Josephus (Mason). On *three* occasions—Luke alone lets us know—Jesus went to dine in a Pharisaic home (Luke 7:36; 11:37; 14:1). These Jewish *symposia* involve sharp differences of opinion including on purity, but this is not at all seen as a reason to disrupt communion. The author wants his readers to

understand that Jesus, while at times clashing with the Pharisees, remained on speaking terms with them or in other words *in spite of differences maintained common discourse*. It is not unimportant to observe that this is exactly the attitude which, we saw, rabbinic literature ascribes to the schools of Shammai and Hillel, who in spite of serious differences maintained family ties and mutual hospitality.

An important episode for us is the conversion of Cornelius, which also implies Peter's conversion to visiting the non-Jewish centurion's home at Caesarea, a turning point in the two-part work. Cornelius is "pious and God-fearing with all his household, giving many alms to the people and throughout praying to God." Yet Peter needs the threefold repetition of a dream in order to decide to cross the threshold of the good soldier's home. The author lets Peter explain: "it is not proper for a Jew to touch or visit a stranger" (Acts 10:1–2, 28). In this respect the apostle faithfully follows his master, who also refrained from entering the home of a God-fearing centurion in spite of the man's excellent relations with the Jews (Luke 7:2–10; cf. Tomson, 1998). This obviously involves the ancient idea that all non-Jews and their homes are given to idolatry and therefore impure. The interesting thing is that the author, while throughout emphasizing the value of the Jewish law, subtly shows how the devout attitude of Jesus was abandoned by his foremost disciple.

The second point lies more at the surface of the story: the Godfearing non-Jew Cornelius is no longer viewed as a gentile to be shunned for possible contamination with idolatry. Therefore once having embraced faith in Jesus, he is a full member of the community of Jesus' followers. This is the point we saw to be urgently at stake in Paul's letters, and it ties in with the fact that the second, larger part of Acts is devoted to the apostle to the gentiles. As in Paul's own letters, devout Jewish sensitivities about relations with gentiles are at stake, not biblical dietary laws. Although, as we saw, exegetes since the Church Fathers explain otherwise, the author does not intend the dream command to slaughter and eat unclean animals literally (cf. Jervell: 328). He states the lesson of the dream explicitly, again through Peter's mouth: "God indicated me to call *no man* unclean or impure." The emphasis is on *communication with non-Jews*, and as anxious Jerusalem Christians needed to verify afterwards, this implied eating with them, apparently without dietary laws being violated (Acts 10:28; 11:2–18).

Worthy of mention is also the so-called apostolic decree issued in Jerusalem about the question, what commandments are incumbent on non-Jewish Christians. Remarkably, "some of the movement of Pharisees who had embraced faith" claim that they must be circumcised and keep the law of Moses. Paul keeps silent, and it is Peter and James who set the key when it is decreed that non-Jewish believers should merely "abstain from what has been contaminated by the idols, from indecency, from non-slaughtered meat and from

blood.” The reason added by James incorporates a magnanimous division of labour between Jews and non-Jews: “For since generations of old Moses has his supporters in every city, being read out every sabbath in the synagogues” (Acts 15:5, 20–21). The decree represents an early variant of what later in rabbinic literature came to be called the “commandments of the sons of Noah” incumbent upon all humanity—an idea that on the one hand expresses belief in the universal validity of the Torah but on the other accepts a difference in its observance by Jews and non-Jews. We already noted that the decree which evidently implied some food laws was universally observed in the early Church, even at a time when anti-Jewish community discourse came to prevail.

We conclude that the author of Luke-Acts, who patently admires Paul and shares his ideal of a church encompassing both Jews and non-Jews, in his narrative subtly unfolds community discourse which is open in various directions. It embraces both devout Jews and Godfearing gentiles, and it also integrates inner-Jewish differences of opinion. This includes disputes between Jesus and Pharisees on purity and even a difference between Jesus and his followers as to relations with non-Jews. This rich and nuanced way of thinking is all the more remarkable in view of the generally accepted date of writing: somewhere around 90. We noted the relation here with Pharisaic thinking. It is even likely that the author consciously appeals to the mitigated mentality prevailing in Pharisaic circles at that time (Tomson, 1999). Whether he was a Judeo-Christian or not is not essential to this position (*pace* Jervell).

Finally, let us briefly review another three later writings. The *Revelation of John* appears to date itself to the latter part of Domitian’s reign, i.e. also around 90, which dating is also given by Irenaeus (*Adv. haer.* 5.30.3). This fierce Judeo-Christian document, which depicts Rome as the monster from the abyss, denounces idol offerings—most probably connected with early forms of the emperor cult—as concoctions of Satan Christians ought to have nothing to do with. On the other hand it knows of “so-called Jews” who apparently kept less clear of the Roman regime and whose communities are therefore denounced as “synagogues of Satan” (Rev 2:9, 14, 20; 3:9). This is exclusive community discourse which draws sharp distinctions with both disloyal Jews and gentiles. To be sure, in the author’s view the community of the elect encompasses not only the 144,000 from the tribes of Israel, but also “the innumerable multitude from all peoples, tribes, nations and tongues” (7:4–9). Another Judeo-Christian document is found in the *Didache*, which was rather widely read in the ancient Church but did not make it into the canon—apparently for lack of apostolic credit, in spite of its full name, “Teaching of the Apostles.” Integrating various prior strata and taking on final form around 100, it states: “Now regarding food: bear what you can, but

abstain from idol offerings, for those are the service of dead gods" (*Did.* 6:3). Again some form of Jewish-gentile coexistence appears to be implied.

An altogether different message is heard in the so-called *Letter of Barnabas* which because of its allusion to a pagan sanctuary being built in Jerusalem is often dated to around 132. It contains a whole chapter on biblical dietary laws which apart from offering crude allegorical explanations repeatedly states that these laws were never meant to be observed literally (*Barn.* 16:3; 10:1–11). The Jews have it all wrong; scripture belongs to the gentile Church! This is all the more striking since the document integrates identifiable Jewish traditions (Alon, 1958). Its text is contained in one of the prime New Testament manuscripts, the Sinai, and it enjoyed fair authority among the Church Fathers (Wengst: 106). It is the earliest explicit evidence of the exclusive gentile community discourse we found among the Fathers, and as observed above it is hardly coincidental that it is to be dated just after the Bar Kokhba war.

5. CONCLUSIONS

While exclusive community discourse vis-à-vis the Jews can be pointed out in various post-70 New Testament writings, this apparently did not yet affect the formal attitude towards Jewish food laws. The hand washing story in Mark and Matthew describes a discussion between Jesus and Pharisees on purity laws in terms which as such do not transcend a first-century inner-Jewish conflict; the traditional interpretation of Mark 7:19c to the opposite effect is not compulsory. The author of the letter to Titus seems to re-interpret a phrase of his teacher Paul on Jewish food laws in exclusive terms, though here too there is no general, fundamental rejection of such laws. That attitude surfaces first in Pseudo-Barnabas and other sources dated around or after the Bar Kokhba war.

In Paul's letters, relations between Jews and non-Jews are central and so is discussion on the supposed idolatrous affiliation of non-Jewish Christians. Paul rejects that supposition vehemently, while on the other hand doing his utmost to keep open relations with the Judeo-Christian communities. Inclusive community discourse emphatically encompassing both Jewish and non-Jewish believers is also found in Luke-Acts, which is striking for a post-70 text. Two late Judeo-Christian documents, Revelation and the *Didache*, reject idol offerings while allowing for non-Jewish Christians to be saved.

Thus it seems that while anti-Jewish community discourse was on the rise after the Great War against Rome, it did not result in the outright rejection of Jewish and biblical food laws till after the Bar Kokhba war. It was then that the gentile apostolic Church fully developed its anti-Jewish reading of both the Old Testament and the writings of Judeo-Christian background it now gathered up into the New Testament. This reading was there to stay,

until its foundations were shocked in this just past twentieth century by another war which revealed the utmost depths of exclusive community discourse.

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PART VI

Responses

